

STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY

October 19, 2005

A regular meeting of the New Hampshire Board of Pharmacy was held on **October 19, 2005** at the Board office, 57 Regional Drive, Concord, New Hampshire. The meeting was **called to order at 9:02 a.m.** with President Kristina Genovese presiding.

I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS

PRESENT

Kristina Genovese, President
George L. Bowersox, Vice-President
Vahrij Manoukian, Treasurer
Sandra B. Keans, Secretary
Margaret E. Hayes, Member
Ronald L. Petrin, Member

ALSO PRESENT

Paul G. Boisseau,
Executive Secretary
Peter A. Grasso,
Chief Compliance Investigator
Margaret A. Clifford,
Compliance Investigator

ALSO ATTENDING

Christine Paradis – 2nd year student MCPHS-Manchester. Guest of Commissioner Hayes.

ANNOUNCEMENTS

Commissioner Genovese was seated as the Board's newly elected President and Chairperson. **Commissioner Hayes** was presented with an engraved gavel memorializing her service to the Board as President for the past 3 years.

II. REVIEW/ADOPTION OF MINUTES

Minutes of the **September 14, 2005 regular meeting** of the Board were accepted as submitted. **(Manoukian/Petrin). Voted (unanimous).**

Minutes of the **September 16, 2005 special meeting** of the Board were accepted as submitted. **(Bowersox/Hayes). Voted (passed – Commissioners Manoukian and Petrin abstained).**

Minutes of a **telephone poll** conducted on **September 28, 2005** were ratified as amended. **(Manoukian/Petrin). Voted (unanimous).**

III. LICENSING

A. **Pharmacy**

1. New

(a) **WALGREENS #09177**

3 Airport Road
West Lebanon, NH 03784

Pharmacist-In-Charge: Stephanie A. Lehman, R.Ph.
NH Pharmacist License No. 3430

Corporate Officer/Supervisor: Leo J. Lariviere, R.Ph.
Pharmacy Manager – Walgreen Eastern Co.

Application complete.

Motion (Hayes/Bowersox) granting a temporary permit to Walgreens #09177 located at 3 Airport Road, West Lebanon, NH, based upon successful completion of the primary inspection, and issuance of the original permit upon successful completion of the secondary inspection pursuant to Ph 305.02. Voted (unanimous).

(b) **WALGREENS #09250**

28 Main Street
Epping, NH 03042

Pharmacist-In-Charge: Stephen J. Deminico, R.Ph.
NH Pharmacist License No. 3133

Corporate Officer/Supervisor: Leo J. Lariviere, R.Ph.
Pharmacy Manager – Walgreen Eastern Co.

Application complete.

Motion (Hayes/Bowersox) granting a temporary permit to Walgreens #09250 located at 28 Main Street, Epping, NH, based upon successful completion of the primary inspection, and issuance of the original permit upon successful completion of the secondary inspection pursuant to Ph 305.02. Voted (unanimous).

2. Change of Location

(a) **WALGREENS #2567**

375 Amherst Street
Nashua, NH 03063

TO

WALGREENS #09447 *(Store Name/Number Change)*

550 Amherst Street
Nashua, NH 03063

Pharmacist-In-Charge: Brent W. Duncan, R.Ph.
NH Pharmacist License No. 3398

Application complete.

Motion (Keans/Manoukian) to approve the relocation of Walgreens #09447 (formerly Walgreens #2567) to 550 Amherst Street, Nashua, NH, and to grant licensure effective upon the successful completion of a site inspection by the Compliance Unit. Voted (unanimous).

(b) ST. JOSEPH HEALTHCARE RETAIL PHARMACY

172 Kinsley Street
Nashua, NH 03061

TO

172 Kinsley Street *(Different Location in Same Building)*
Nashua, NH 03061

Pharmacist-In-Charge: Steven M. Klein, R.Ph.
NH Pharmacist License No. R0845

Application complete.

Motion (Keans/Bowersox) to approve the relocation of St. Joseph Healthcare Retail Pharmacy to a different location in the same building (172 Kinsley Street, Nashua, NH), and to grant licensure effective upon the successful completion of a site inspection by the Compliance Unit. Voted (unanimous).

3. Disciplinary

RITE AID CORPORATION

d/b/a Rite Aid #3589

Case File: ROI – 15/05

Pursuant to a *Report of Investigation (ROI)*, the Board, on motion (Petrin/Hayes) voted to accept a *Settlement Agreement*, the provisions of which shall be a public document. Voted (passed – Commissioners Bowersox and Genovese abstained).

IV. CONTINUING EDUCATION

A. The Board reviewed the following program evaluation and recommendation submitted by the Continuing Education Advisory Council:

Program No. 30-05-L008

“Modern Herbal Medicine and Nutrition Therapy”

Date: April 9, 2005

Location: Highlander Inn – Manchester, NH

Submitted By: Steven Ottariano, R.Ph.
Londonderry, NH

Recommendation: Approve for 0.8 CEU's (8 contact hours).

Board Action: Concurrence. Motion (Petrin/Bowersox). Voted (unanimous).

B. Request for Waiver

KASTAMA, Kathleen S.

P.O. Box 79

Wentworth, NH 03282

NH License No. R0981

Request for waiver of didactic continuing education requirements for 2006 pharmacist license renewal.

Motion (Petrin/Bowersox) to grant a waiver of didactic requirements according to the provisions of Ph 403.08 for 2006 renewal provided that Ms. Kastama shall complete at least 15-hours of home-study, pharmacy-related continuing education during calendar year 2005. Voted (unanimous).

V. COMPLIANCE UNIT

A. Activity Report

- September 2005

Motion (Manoukian/Hayes) to accept the report as submitted. Voted (unanimous).

B. Special Report

- Internet Pharmacies

Tabled to November meeting.

VI. NEW BUSINESS

A. EMERGENCY CONTRACEPTION COLLABORATIVE PRACTICE

Chapter Ph 1000

- a. Adoption Date: September 28, 2005
- b. Effective Date: October 14, 2005

The Board reviewed a request for a limited waiver of Ph 403.03 to allow carry-over CE credit (to 2006) for ECCP training programs completed between October 14, 2005 and December 31, 2005.

Motion (Bowersox/Manoukian) to deny. Voted (unanimous).

A request for consideration and approval of ECCP training already completed (prior to October 14, 2005) was withdrawn.

B. RULEMAKING

Notice Number 2005-159

Members of the Board finalized the review of various rules proposed for additions and/or amendments and considered additional public testimony.

Motion (Manoukian/Hayes) to forward the Board's final proposal (annotated text) to the Joint Legislative Committee on Administrative Rules (JLCAR) for hearing and consideration for approval. Voted (unanimous).

C. Immunizations – Home Care and Hospice Patients

The Board reviewed a request by the Board of Nursing to authorize immunizations (possession and administration) by licensed nurses in home care and hospice settings in the event of local and/or national disaster.

Motion (Hayes/Manoukian) to approve the inclusion of mass immunizations for home health care and hospice patients, by licensed nurses, in response to emergency situations and in the interest of public health and safety in accord with RSA 318:42, XI. Voted (unanimous).

A non-public session was called (Manoukian/Bowersox) at 1:08 p.m. with Commssioners Bowersox, Hayes, Keans, Manoukian and Petrin present. Commissioner Hayes was present but not participating.

Discussions and/or decisions occurring during this non-public (confidential) session were according to RSA 91-A:3, I & II and involved information pursuant to ongoing investigations as reported by the Board's Compliance Investigator(s) and/or the Office of the Attorney General, the disclosure of which would likely adversely affect a person's reputation and/or would render the Board's proposed action ineffective.

The non-public session was adjourned at 1:25 p.m.

VII. ADJOURNED 1:28 P.M.